

To Whom This May Concern At The FCC,

I applaud the FCC for crafting and releasing its new National Broadband Plan and setting ambitious goals but worry that the plan already needs critical fixes. Special interests are already undermining the National Broadband Plan and your agency's vagueness on implementation is playing right into the hands of the incumbent cable and phone company duopoly ISPs. A big concern for me is the 376 page National Broadband Plan has no mention even of the need for Net Neutrality.

We've seen the prescription for national health care reform shrivel from brain surgery to a bandage on the forehead. I fear that the FCC's National Broadband Plan could suffer the same fate. The lack of competition in broadband, both wired and wireless, is at the root of a myriad of evils, including poor service, overcharges, opaque billing, and a complete lack of service in parts of the country. But for all its good intentions, the plan postpones hard choices on how to fix a broken system, and this gives the carriers and others the opening they need to delay, dilute, and damage the plan's important goals.

"While the FCC does take some important steps toward a new framework for competition policy, many of the critical questions are deferred for further review," says Chris Riley, policy counsel for Free Press, a nonpartisan advocacy group. "We hope the plan will confront the competition problems directly and will include specific policies to put consumers first. Implementing the policies needed to bring every American affordable, robust broadband will require courageous leadership and a willingness to stand up to narrow corporate interests."

What's more, the 376-page plan [PDF] makes no mention of Net neutrality. And yes, I realize that Net neutrality is being considered by the FCC on a separate track, but there is yet no discernable to enact reforms and I fear that the commission missed a major opportunity to bring that crucial issue to the forefront.

The National Broadband Plan released to Congress this week has a promising start, according to people of good will who have given the matter a great deal of thought.

But the broadband industry has a huge amount of clout, often realized through expensive lobbying efforts and lavish campaign donations. Turning good intentions into real reform will require a bare-knuckle fight, and I'm worried that the FCC and the Obama administration are ready for it.

The roots of today's broadband mess

In early 2009, Congress directed the Federal Communications Commission to develop a National Broadband Plan to ensure every American has "access to broadband capability."

The plan calls for "the fastest and most extensive wireless networks" of any nation by 2020. It also

proposes to allot more wireless spectrum for mobile devices, redirect some subsidies toward broadband access, develop a nationwide network for emergency first responders, and create a "digital literacy corps" to train new users.

Understanding the mess in the broadband market requires remembering a bit of history. When Bill Clinton became president in 1993, the Internet barely existed. By the time George W. Bush left office 16 years later, the technology world had been completely transformed, and we can no longer imagine life without the Web and a myriad of devices to access it.

Despite all that -- not to mention the billions upon billions of dollars of economic activity tied to the Web -- the government is, in many respects, clueless about how it works. And the report shows that.

It calls for the collection of data about market prices and performances. The FCC is already collecting data on connection speeds across the country via a test posted on its Website. Sure, that's a good idea, but hello, this is 2010. Why don't we know this already? Why, as Eric London of the Open Internet Coalition points out, are ISPs allowed to claim that 90Kbps service is broadband?

It could take years to collect that data. I'm aware, of course, that FCC chairman Julius Genachowski is not to blame for the astonishing paucity of data -- he's had the job for less than a year. But he's the guy in charge, and he needs to be sure the data is collected as soon as possible. Indeed, it would have been preferable to at least begin the collection process months ago.

Will you lose your TV signal?

The lobbying and PR blitz by special interests has already started. Let me quote from a story that ran in the San Francisco Chronicle on Wednesday: "The agency's proposal may force TV stations 'to change channels and reduce service areas, perhaps standing millions of viewers,' David Donovan, president of the broadcasters Association for Maximum Service Television, said Monday."

Yikes! Pretty scary -- or is it? In fact, because the plan lacks specifics, there is no way to judge if reallocation of some spectrum would squeeze out broadcast TV, says Michael Voellinger, executive president of Telwares, an IT and telecom consultancy that has looked hard at spectrum issues. "Anyone faced with a potential loss of spectrum is going to defend that turf," he says. But on the surface at least, that scary outcome doesn't seem to make a lot of sense, Voellinger says.

Even so, there is no doubt that wireless service is being crowded by a lack of spectrum, a shortage that will only get worse as wireless demand continues to grow. Please make the needed improvements to the National Broadband Plan being requested of you in this feedback and take the necessary steps to ensure the goals of the National Broadband Plan are met and that mandates for competition cannot be ignored by the industry. Line sharing requirements should be put in place so

big ISPs have to share infrastructure sometimes with smaller ISPs, and offer wholesale pricing to smaller ISPs so they can resell broadband Internet access to their own customers at affordable rates.

Unnecessary bandwidth caps should be rejected that only serve to prevent online competition from emerging to cable company ISPs digital cable TV service or VOIP from improving enough to replace wireline phone services of the established telecom ISPs.

Ensure there are no loopholes in the National Broadband Plan to allow the duopoly companies to continue restricting competition and jacking up prices for high speed Internet access. Everyone should be able to have equal and affordable high speed Internet access -- no charging people extra for using more bandwidth etc (require ISPs instead of restricting bandwidth to invest in network upgrades to allow more bandwidth use without too much congestion in the networks) as that would cause people with more income to be able to pay such extra fees but people with limited income would see the quality of their Internet connections worse than those who pay more.

We should all be able to access high speed Internet services at affordable rates whether rich or poor, urban or rural, if we are in the majority or part of a minority. Charging users for more bandwidth will cause people who can't pay extra fees to get slower service -- this would be unequal. We should all have the choice of equal access at affordable pricing.